

2851 PATENT Case No. 21494YP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wayne Thompson, et al.

Serial No. 10/568,470 Filed: August 11, 2004

For: 4-CYCLOALKYLAMINOPYRAZOLO PYRIMIDINE

NMDA/NR2B ANTAGONISTS

Art Unit:		
Evaminar		

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

## SUPPLIMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Vatricia O Voutsu as Date 03/01/2007

## SUPPLEMENTAL

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED AP	RELATED APPLICATION			
FILING DATE	MERCK CAS			
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	U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
L			L
If th	nis is inconvenient, additional copies will be submitted upon reques	t.	
	6. In accordance with 37 C.F.R. 1.97, (check one)		
	the attached information is filed within three months of the filing da	te of the captioned case.	
$\checkmark$	the attached information is filed more than three months after the Office Action on the merits. $ \\$	filing date but prior to the m	nailing of a first
	the attached information is filed before the mailing of a first Office examination under $\S 1.114$ .	action after the filing of a re	equest for continued
	the attached information is being filed more than three months afte Office Action on the merits, but before the mailing date of a Final / otherwise closes prosecution in the application. The enclosed aut Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p)	Action, Notice of Allowance horization is therefore give	, or an action that
	each item of information contained in this Information Disclosure S from a foreign patent office in a counterpart foreign application not Statement.		
	each item of information contained in the information disclosure st from a foreign patent office in a counterpart application and this or designated in §1.56(c) more than thirty days prior to the filling of the	mmunication was not rece	ived by any individu
	no item of information contained in this Information Disclosure Stat foreign patent office in a counterpart foreign application, and, to the after making reasonable inquiry, was known to any individual desimonths prior to the filing of this Statement.	e knowledge of the person	signing the certifica
		Respectfully submitted,	
		Meling	
		By: Mollie M. Yang	7 0
		Attorney For App	licant(s)
		Reg. No. 32,718	_
		MERCK & CO., INC.	
		Patent Dept., RY60-30 P.O. Box 2000	
		Rahway, N.J. 07065-090	7
		(732)594-6343	_
		Date: March 1,	2007

						Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE	
	$\overline{}$	Substitute for form 1449A/PTO	SUPPLEMENTAL		COMPLETE IF KNOWN		
	.1	INFORMATION		CLOSURE	Application Number	10/568,470	
	10	*STATEMENT BY	7 A D	DLICANT	Filing Date	August 11, 2004	
/	Ιĭ	TEMENT D	I ALF	FLICANI	First Named Inventor	Wayne Thompson	
3	1990				Group Art Unit	1624	
3	2005 ute as	2005 use as many sheet	nany sheets as necessary)	iecessary)	Examiner Name	Kifle	
1/3	<b>Caller</b>	AND I	of	2	Attorney Docket Number	21494YP	

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			U.S. PA	ATENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
/BK/		US4,904,666		Walter-Gunar Griebe, et al.	02/27/1990
1		US5,723,608		Jun Yuan	03/03/1998
V		US2005-0054658		Thompson, et al.	03/10/2005
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			FORE	EIGN PATENT	DOCUMENTS		
Examiner	Cite		Foreign Patent Docum		Name of Patentee or Applican	Date of Publication of	
Initials*	No.	Office	Number	Kind Code (if known)	of Cited Document	Cited Document MM-DD-YYYY	
/BK/		PCT	WO 01/23389		Neurogen Corporation	04/05/2001	
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Examin Signatu	er re	/E	Bruck Kifle/ (12/07/200	7)	Date Considered	12/07/2007	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

	ubstitute for form 1449B/PTO	CI IDD	LEMENTAL.	COMPLETE IF KNOWN		
, -	INFORMATION DISCLOSURE		Application Number	10/568,470		
	TATEMENT DV	A TO	DITCANT	Filing Date	August 11, 2004	
STATEMENT BY APPLICANT				First Named Inventor	Wayne Thompson	
			,	Group Art Unit	1624	
	(use as many sheets	as n	ecessary)	Examiner Name	Kifle	
Sheet	2	of	2	Attorney Docket Number	21494YP	

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.					
/BK/		McCauley (Expert Opin. Ther. Patents, 2005, 15(4), 389-407).					
		Alden, P., HIV and the central nervous system, The Bay Area Reporter, June 16, 2000, <a href="http://www.aegis.org/news/bar/2000/BR000605.html">http://www.aegis.org/news/bar/2000/BR000605.html</a> dowloaded on 01/22/2007 (by Examiner S. Moore, USFTO).					
		Robins, Roland K., J. Am. Chem. Soc., Vol. 79, PP 6407-6415, 1957.					
		Hamilton, Harriet W., Bristol, James A.: J. Med. Chem., Vol. 26, PP 1601-1606, 1983.					
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Į	Examiner Signature	/Bruck Kifle/ (12/07/2007)	Date Considered	12/07/2007	,
	Cuamman Initial IC	reference considered sub-short constitution in in conformation with MARKER 600. I		and in any Commence and not considered. Include	